

REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance.

Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 25–33 are in the present application. It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner and are in full compliance with the requirements of 35 U.S.C. § 112. These new claims, as presented herein, are not submitted for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these claims are submitted simply for clarification and to round out the scope of protection to which Applicant is entitled.

Claims 25–33 were rejected under 35 U.S.C. § 102(b) as being anticipated by Boetje et al. (U.S. Patent 6,038,368). However, the present invention “record[s] the index information and the additional index information in sub-code sections of corresponding recorded tracks throughout the tape medium.” (Claims 25, 28; Claim 31 contains similar limitations) “Each recorded track on the tape medium having a sub-code section.” (Claims 25, 28, and 31) As shown in Figure 20, each track 61 throughout the video tape 27 contains an audio data section 62, a video data section 53, and a sub-code section 64. Hence, the present invention records the index and additional index information in the sub-code sections of the tape. Further, the information is stored in the sub-code section of the track corresponding to the information. For example, a mark-in point is stored in the sub-code section of the track corresponding to that point. By contrast, Boetje discloses “the camcorder utilizing videocassette 100 notes the location

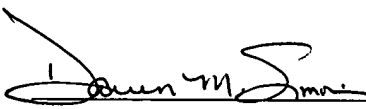
on tape 102 where the segment starts and records a corresponding “address,” or track number, i.e. ATN, of that location into the memory 110.” (Column 4, Lines 40-43; emphasis added) Hence, Boetje records the pertinent track number (i.e. the edit point) into memory. Boetje does not disclose recording the track number onto the tape as required in the present invention. Moreover, Boetje does not disclose recording the track number “in sub-code sections of corresponding recorded tracks throughout the tape medium” as recited in the claims. This is because, Boetje fails to discuss a tape medium having sub-code sections. Rather, Boetje discloses in Figure 1, a tape 102 having a first region 104 for storing video information and a second region 106 for storing statistical data associated with the video segments. (Column 3, Line 48 to Column 4, Line 11) Hence, arguably, even if Boetje had disclosed recording edit points on the tape medium, the points would be recorded in the second region (at the end of the tape), rather than “throughout the tape medium” in sub-code sections as required in the present invention. Therefore, for at least these reasons, Boetje fails to anticipate the present invention and claims 25–33 should now be allowed.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

An extension of time fee is deemed to be required for the filing of this amendment. No additional fees are anticipated, but if such are required, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: 
Darren M. Simon
Reg. No. 47,946
(212) 588-0800